

Clerk of the United States Bankruptcy Court for
the Southern District of New York
One Bowling Green
New York

Wema, the *20* December 2009

Bankruptcy case No: 08-1789 (BRL)
Claim No: 007179

Regarding: Opposition to the denial of Claim No. 007179

JAN - 6 2010

Dear Sir or Madam,

regarding the determination of the above mentioned claim by Irving H. Picard, Esq., Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff, we believe that although not being mentioned in the books of Bernard L. Madoff Securities Investments LLC (BLMIS) as direct customer we should be viewed as customers.

- The investment world since the inception of SIPA changed significantly; while formerly most investments were conducted via direct management of accounts, "state of the art" nowadays are investments via investment funds. So the purpose of the Securities and Investor Protection Act should be reviewed as a whole.
- As an investor in Herald Fund SPC I should be as well protected as an direct investors – please find a copy of my Herald holdings enclosed.
- In the proceedings (ADV. Pro. No: 09-1359 (BRL)) against Herald Fund SPC and HSBC Securities Services (Luxembourg) S.A. the trustee demands more than USD 578,033,847,- . This amount not only contains redemption proceedings which the vast majority of shareholders of the fund never received but also tax payments which were made on behalf of shareholders and funded by their equity.
- In the proceedings (ADV. Pro. No: 09-1359 (BRL)) against Herald Fund SPC and HSBC Securities Services (Luxembourg) S.A. the trustee demands more than USD 578,033,847,- . In demanding this amount also from HSBC, the trustee claims money which the feeder funds i.e. their shareholders should be entitled too.

Because of these reasons, I oppose the denial of my claim and ask you to review my claim again and grant it.

Thank you in advance - yours faithfully



Beatrix Pratscher
Wienerstrasse 71
A-7400 Oberwart, Austria

CAPITAL *** BANK

Eingegangen am

22 JULI 2008

Nr.:

Lintner Vermögensverwaltung GmbH
 Beatrix Pratscher
 Rudolfsplatz 1/15a
 1010 Wien

Capital Bank - GRAWE Gruppe AG
 Wallnerstraße 4, 1010 Wien
 Tel.: 01/31614

Abrechnung Handel
 151813-17.7.2008 D U P L I K A T
 Depot-Nr.: 68.030.519
 Beatrix Pratscher
 0344/344
 Lintner Verm.Verw.GmbH

Wir haben für Sie am 17.7.2008 unten angeführtes Geschäft abgerechnet:

Geschäftsart: Kauf Auftrags-Nr.: 159991-20.6.2008
 Zugang: 62 Stk
 Titel: KYG441091090 Herald Fd SPC-Her.USA Seg.P.O.
 Reg.Shs EUR-Class EO -,001
 Kurs: 1.282,17 EUR
 Handelsplatz: Außerbörslich
 Handelszeit: 30.6.2008 0:00:00
 Verwahrart: WR
 Positionsdaten: Loco: LUXEMBURG

	Kurswert:	-79.494,54	EUR
	Effektenprovision:	-100,00	EUR
Zu Lasten	Kto. 18.030.510 Valuta 24.6.2008	-79.594,54	EUR
Schlussstag:	30.6.2008		
Kassatag:	1.7.2008		

KESt-pflichtiges Wertpapier

2008-06-20-11.22.04.000062

Kontonummer CAPITAL BANK - GRAWE GRUPPE AG
 18.030.510 WALLNERSTRASSE 4, 1010 WIEN
 DVR: 0043974

BLZ
 19600

Datum	Buchungstext	Wert	Betrag EUR
Alter Kontostand laut Auszug vom 07.07.2008			600.361,27
17.07	Wertp.Abrechnung	3119 2406	-79.594,54
	Kauf 151813-17.07.08 68.030.519		
	KYG441091090 HERALD FD-USA S.PTF 0.EUR		
	62,000 Stk zu 1.282,170 EUR 30.06.08		

DX	Gutschriften	0,00
	Lastschriften	-79.594,54
	Neuer Kontostand	
	Guthaben EUR	520.766,73

Lintner Vermögensverwaltung GmbH
 Beatrix Pratscher
 Rudolfsplatz 1/15a

Depotbewertung Online
 Auszug-Nr. 1/2008
 Depot-Nr.: 68.030.519
 Beatrix Pratscher

0344/344
 Lintner Verm.Verw.GmbH

Beatrix Pratscher
 Wiener Straße 71
 7400 Oberwart

AUFSTELLUNG per 31.12.2008
 Standardverrechnungskto.: 18.030.510 EUR

Kenn-Nr.	Menge	Titel	Kurs	Kurswert EUR
AT0000495114				39.258
	424 Stk	ESPA ALTERNATIVE MULTISTRATEGIE	92,59	
	SV	MITEIGENTUMSANTEILE - THESAURIEREND (30.12.2008)		
IE00B0B87X46				58.328
	506,89 Stk	Benchm.Alt.I.-Equity Opportun.	115,07	
	WR	Registered Shares Cl. B o.N. Loco: LUXEMBURG	(31.7.2008)	
KYG441091090				nicht bewertet
	62 Stk	Herald Fd SPC-Her.USA Seg.P.O.		
	WR	Reg.Shs EUR-Class EO -,001 Loco: LUXEMBURG		
KYG5807G1762				59.820
	81.200 Stk	Man RMF I.S.-Event Dr.Str. EUR	0,7367	
	WR	Reg. Ptg. Shares H2 o.N. Loco: LUXEMBURG	(31.12.2008)	
KYG5807N1144				74.924
	56.085 Stk	MAN RMF Sp.O.-MAN RMF Com.Str.	1,3359	
	WR	Reg. Red. Ptg Shares E4 o.N. Loco: LUXEMBURG	(31.12.2008)	
LU0167694446				46.894
	442,609 Stk	Man RMF Inv.-Man RMF Diversif.	105,9489	
	WR	Actions A o.N. Loco: LUXEMBURG	(31.12.2008)	

SUMMENAUFSSTELLUNG

Positionen	Anteil in %	Kurswerte EUR
1 Fondsanteile Inland	14,06	39.258
5 Fondsanteile Ausland	85,94	239.966
6 GESAMT		279.224